



Photo copies to:
Earl Staker
Dalling Jensen
Donald Karseth
Robert
F. Munk Resse
12-29-69

Ephraim, Utah, December 22, 1969.

Water Rights,
Salt Lake City, Utah.

Attention Mr. Earl M Staker and Attorney Jensen;

Find enclosed three checks totaling \$134.86 to settle in full the cost of State Engineer Account # 3 for Lower San Pitch River distribution for 1969.

Each of the checks has written across the face thereof in red ink "payment protested". The reason for protests are:-

1. Only John K. Olsen of the eleven landowners under the Olsen - Ephraim Diversion has been assessed. (see J.K. Olsen letter to Staker dated Dec. 14, 68 and Staker's reply Jan. 3, 69.) Also notice of assessment.

2. All the land irrigated under the Ephraim - Olsen diversion is completely surrounded by lands irrigated under the Bagnal - West Point diversion, yet the Bagnal - West Point is upper and the Olsen - Ephraim is Lower Sanpitch river distribution system. (incidently this same condition exists as far as the Price Dam diversion is concerned,)

A.- water diverted at Bagnal - Westpoint diversion comeingle with water diverted at Ephraim - Olsen diversions and are used to irrigate 1 lands in both areas. economy

3. We question, efficiency and reason for two commissioners on the San Pitch River. question

A.- We the logic in the formation of the Lower San Pitch River Distribution System with an upper "Dead End" at the Bagnal - West Point and then to be included with the two tributaries to the San Pitch River below the Gunnison Reservoir while all tributaries from Pleasant Creek to Manti Creek, both included, on east side of valley and all streams on west side of valley are left out.

B. All land under the Bagnal diversion and all other diversions between it and the Gunnison Reservoir were treated as a special class when the waters of the Sevier River System were adjudicated. see minutes of meeting with State Engineer Bacon held at Manti April 9, 1926.

4. We question the fairness of a uniform assessment; whether it be on an acre, acre foot, or second foot basis.

A.- water under Olsen - Ephraim diversion is a late winter - Early Spring* High Water right. Beginning February 24 thand is nearly over when irrigation begins farther up the river, wet years, however furnish some water in growing season.

B.- Much of the water diverted is returned to the river after it has flown across the land in the unit system of irrigation under this diversion.

Will thank you for an opportunity to discuss this whole matter before you level another assessment.

Yours truly,

John K. Olsen
John K. Olsen.

*Sanson Greeting to all
J.K.O.*

Form 144
3M-1-68



THE STATE OF UTAH

DIVISION OF WATER RIGHTS

SALT LAKE CITY

DELINQUENT WATER ASSESSMENT
MAKE CHECK OR MONEY ORDER PAYABLE TO STATE ENGINEER and RETURN THIS NOTICE WITH YOUR REMITTANCE.

AUG 15 1969

┌ John K. Olsen
Ephraim,
Utah 84627
└

Your 19⁶⁹ share of expenses for the Lower San Pitch
River Distribution System is as follows:

STATE ENGINEER ACCOUNT NO. 3

Water Assessment	\$ 134.86
Previous Delinquency	

TOTAL AMOUNT DUE \$ 134.86

FOR YOUR CONVENIENCE — PUT THIS NOTICE IN THE ENCLOSED YELLOW ENVELOPE WITH YOUR CHECK SO THAT THE ADDRESS BELOW SHOWS THROUGH THE WINDOW.

**WATER RIGHTS
442 State Capitol
Salt Lake City, Utah 84114**

PLEASE READ OTHER SIDE